

Appropriate Assessment

Report for:

Clifford Neighbourhood Area

August 2022



Clifford Neighbourhood Plan

Appropriate Assessment

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Executive summary

This report addresses the Appropriate Assessment (AA) stage of the HRA and considers the likely significant effects on the integrity of the River Wye (including the River Lugg) SAC.

A previous Habitat Regulation Assessment has been undertaken on the Clifford Neighbourhood Plan dated July 2020, however recent advice, responses from Natural England and the Dutch Case it is considered that a Stage 2 Appropriate Assessment is required.

This report addresses the Appropriate Assessment stage; outlines the task undertaken, the findings and recommendations to support the Clifford Neighbourhood Plan through to adoption.

The initial Screening report June 2016 found that the River Wye (including the River Lugg) SAC is located along the northern and the western border of the parish and Neighbourhood Area.

The majority of the policies within the Clifford NDP are not site allocations but have criteria to support development. They would all require a further planning application.

The three site allocations within Clifford have also been assessed. It should be borne in mind that site allocations do not grant planning permission and all site allocations will be subject to a more detailed assessment at planning application stage. Two of the sites within the plan now have planning applications.

The most significant issue with the Wye catchment is regarding water quality and these issues form the majority of the assessment of these policies. Current the River Wye is not failing its water quality objectives.

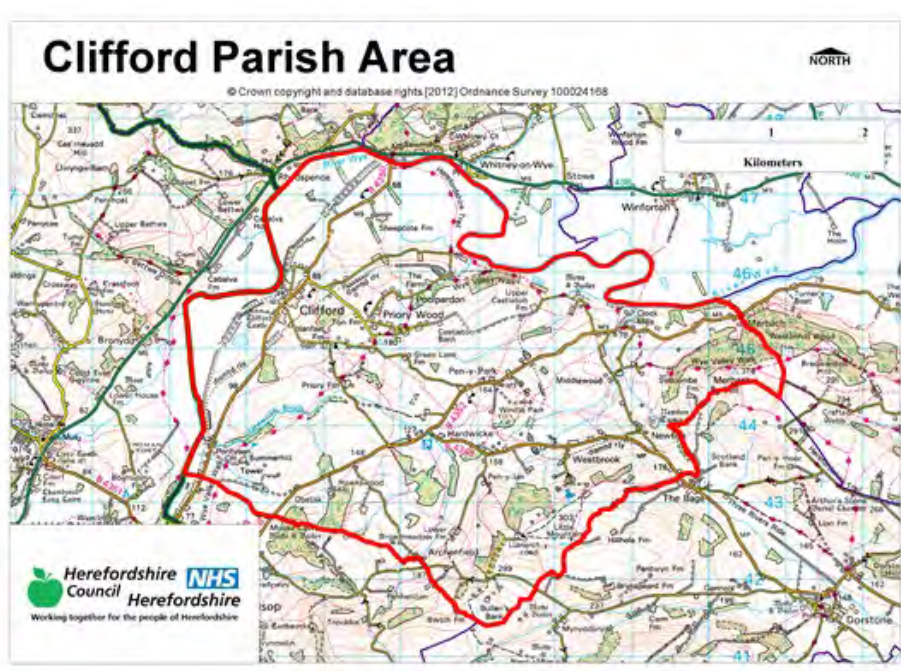
At this stage the appropriate mitigation measures can also be considered against each of the policies. The table within appendix 3 indicates where this has been the case. Herefordshire Council are investigating a wide range of mitigation measures and working with partners to resolve the current water quality issues within the Lugg catchment. The mitigation measures references within the document could be expanded and refined prior to any planning permissions in association with the policies of this development plan are approved.

This report has taken account of the Nutrient Neutrality and HRA update released and Ministerial Statement issued by Department for Levelling Up, Housing and Communities on the 20/21 July 2022.

The results of this Appropriate Assessment indicate that there will not be a significant effect on the integrity of the River Wye (including River Lugg) SAC when the mitigation and avoidance measures have been taken into account.

1 Introduction

- 1.1 This report address the Appropriate Assessment (AA) stage of the HRA and considers the likely significant effects on the integrity of the River Wye (including the River Lugg) SAC.
- 1.2 A previous Habitat Regulation Assessment has been undertaken on the Clifford Neighbourhood Plan dated June 2020, however following recent advice, the Dutch Case and responses from Natural England it is considered that a Stage 2 Appropriate Assessment would be applicable.
- 1.3 This report addresses the Appropriate Assessment stage; outlines the task undertaken, the findings and recommendations to support the Clifford Neighbourhood Plan through to adoption.
- 1.4 Clifford Parish Council has produced Neighbourhood Plan for Clifford parish in order to set out the vision, objective and policies for development within the area up to 2031. This Neighbourhood Plan will support the policies within the adopted Herefordshire Core Strategy and if adopted form part of the Herefordshire Development Plan. The Neighbourhood Plan has recently been subject to an independent examination and some modifications have been made. The plan now needs to be subject to a referendum and, if positive, adoption.
- 1.5 Below shows a map of the neighbourhood plan



2 Requirement for the HRA

- 2.1 The requirement to undertake HRA of development plans was confirmed by the amendments to the "Habitats Regulations" published for England and Wales in July 2007 and updated in 2013 and now included within the Conservation of Habitats and Species Regulation 2019 'the Habitats Regulations'. Therefore, when preparing its neighbourhood plan, Clifford Parish Council is required by law to carry out an assessment known as

“Habitats Regulations Assessment”. It is also a requirement in Regulation 32 schedule 2 of the Neighbourhood Planning Regulations 2012.

- 2.2 Herefordshire Council is aware of the recent judgment (People over Wind, Peter Sweetman vs Coillte). The Court of Justice of the European Union (CJEU) ruled that the Habitats Directive must be interpreted as meaning that mitigation measures should be assessed within the framework of an Appropriate Assessment and that it is not permissible to take account of measures intended to avoid or reduce the harmful effects of the plan on a National Network site at the screening stage. The initial screening undertaken in June 2016 and concluded that a full HRA would be required
- 2.3 The Co-operation Mobilisation (The Dutch case) ruling will also have an impact on Herefordshire in the areas within the catchment of the River Lugg. As this Neighbourhood Area is within the River Wye catchment area however it has been concluded that a Stage 2 Appropriate Assessment be undertaken to include a range of potential mitigation.
- 2.4 The Ministerial Statement (20 July 2020) and subsequent advice issued by the Department for Levelling Up, Housing and Communities (21 July 2022) regarding Nutrient Neutrality has been taken into account within this report

3 Stage 2 – Appropriate Assessment

- 3.1 As highlighted above the Clifford Neighbourhood Plan is to be subject to a Stage 2 Appropriate Assessment.
- 3.2 The initial screening and scoping under on June 2016 has identified that the plan may have potential impacts and effects on the following National Network sites:
 - River Wye (including the River Lugg) SAC
- 3.3 The map below shows the Clifford Neighbourhood Area in relation to the River Wye SAC.



3.4 Previous Habitat Regulation Assessment have been undertake June 2020 whilst the neighbourhood plan has been in production. Consultation has taken place on this iteration of the report and these can be seen in Appendix 2. Recent advice and responses to plans within the River catchment have indicated that further Appropriate Assessment work is required specifically to consider the impact of any Neighbourhood Plan on water quality within the catchment. Therefore, it is considered given the proximity of the River Wye within this neighbourhood area that an Appropriate Assessment is undertaken here.

3.5 The requirements of the Appropriate Assessment can be broken down into 5 areas;

- 1 Scoping
 - Collect information regarding the National Network Site
 - Any additional Environment Condition information
- 2 Assessing the impacts
 - Assess the impacts of the neighbourhood plan policies and proposals
 - Consider the in-combination effects
 - Consider the cumulative effects
- 3 Mitigation measures
 - Consider the potential mitigation measures
- 4 Summary and recommendations
- 5 Consultation

4 Scoping

4.1 The initial Screening report June 2016 found that the Neighbourhood Area shares a border with the River Wye (including the River Lugg) SAC. Therefore, a full screening assessment is required.

4.2 There is also a duty under the Water Framework Directive to ensure that proposals for growth do not adversely affect the river water quality and this included the associated watercourses flowing into the rivers.

Site integrity of the River Wye (including the River Lugg) SAC

4.3 The River Wye forms one of the longest near natural rivers in England and Wales. The 25km within Herefordshire runs from Hay-on-Wye to Monmouth passing through Hereford and Ross-on-Wye. This section of the river is a rare example of eutrophic river and has not been subject to straightening.

4.4 There are a number of qualifying site features within the English section of the River Wye SAC:

- Water crowfoot vegetation
- White-clawed crayfish
- Sea Lamprey
- Brook lamprey
- River Lamprey

- Twait shad / Allis shad
- Atlantic salmon
- Bullhead
- Otter

- 4.5 The issues associated with maintaining the sites integrity include water levels and flow, water quality, eutrophication (nitrogen enrichment), sedimentation, disturbance and species maintenance.
- 4.6 The vulnerability data is indicating that any site allocations and policies should avoid developments within 100m of the designated banks to avoid proximity impacts.
- 4.7 The River Wye SAC can be sensitive to changes in water quantity and quality. There are some sections of the River Wye SAC, mainly the River Lugg catchment area, where the water quality targets are already exceeding set levels and therefore the river is failing its 'favourable condition' status. This area is subject to measure to reduce nutrients particularly phosphates in line with the targets. In light of the interpretation of the Dutch Case where a Site is failing its water quality objectives and is classified as unfavourable condition, there is limited scope for the approval of additional damaging effects and measures that cannot be relied upon or are uncertain. The neighbourhood plan assessed within this report is within the Wye catchment area.
- 4.8 However, the River Wye SAC as a whole is not currently failing its conservation status water quality levels but there are growth concerns that other stretches of the river could deteriorate in water quality following future Environment Agency testing.

Environmental condition data for the River Wye SAC

- 4.9 The River Lugg is considered to be 'failing' its water quality targets because it has exceeded the phosphate limit over 3 years testing period. Testing is undertaken between March and September by the Environment Agency. Although the Upper Wye is at risk of failing, it has currently not been declared as 'failing'
- 4.10 Phosphorous enter the river via two distinct avenues: point source pollution (waste water treatment works 'WWTW') and diffuse source pollution (run off from roads and agricultural).
- 4.11 Discharges from WWTW are monitored and controlled by the issuing of Permitted Discharge Consents but diffuse pollution depends upon a number of different factors including land management, stock near to rivers and run off.
- 4.12 The Wye and Lugg Monitoring Dashboard indicates that as at 2019 (the latest figures published), the phosphate levels within the River Lugg at the testing point at Mordiford Bridge were recorded as 0.12mg/l with the target set at 0.05mg/l.
- 4.13 In 2019, the sewerage treatment works within the Lugg catchment area were reporting 100% compliance with phosphate limits.
- 4.14 For the Upper Wye (at Carrots Pool, Hereford) it is within target at 0.01mg/l against the target of 0.03mg/l and within the Lower Wye (at Holme Lacy) it is 0.03mg/l against the target of 0.03mg/l. The sewerage treatment works within the Upper and Lower Wye are also reporting 100% compliance with their phosphate limits.

5 Description of the Clifford Neighbourhood Plan

- 5.1 The draft Clifford Neighbourhood Plan presents detailed policies for development in the Neighbourhood Area up to 2031. All neighbourhood plans are required to be in general conformity with the adopted Herefordshire Core Strategy. Proportional growth for development is contained within the Core Strategy Policy RA1 and RA2 and neighbourhood plans will seek to allocate this proportional of development to be in conformity with the Core Strategy.
- 5.2 The Plan begins by highlighting its issues. It then details the vision for the parish over the plan period until 2031 together with 10 objectives to realise that visions.
- 5.3 The initial options for the neighbourhood plan were assessed to determine their environmental impact that could affect the River Wye (including the River Lugg) SAC. All of which indicated towards growth however all the options would be seeking to provide proportional growth in line with the Core Strategy. Five options were considered in total and these have been assessed in previous stages of the process.
- 5.3 The neighbourhood plan also sets out 24 general policies on a variety of topic bases areas and 3 site allocations or specific site related policies. These include:
- Policy CNP1: Promoting sustainable development
 - Policy CNP2: Development Strategy
 - Policy CNP3: Conserving and enhancing the landscape of the parish
 - Policy CNP4: Protecting the scenic beauty of the parish
 - Policy CNP5: Conserving and enhancing the natural environment of the parish
 - Policy CNP6: Protecting and enhancing the heritage assets of the parish
 - Policy CNP7: Protection of Local Green Spaces
 - Policy CNP8: Housing Development in Prior Wood
 - Policy CNP9: Housing development in Clifford Village
 - Policy CNP10: Housing sites in Clifford Village
 - Policy CNP11: Community led housing
 - Policy CNP12: Design of housing development within settlement boundaries
 - Policy CNP13: Supporting local business
 - Policy CNP14: Farm diversification
 - Policy CNP15: Tourism development
 - Policy CNP16: Working from Home
 - Policy CNP17: Polytunnel proposals
 - Policy CNP18: Intensive livestock units
 - Policy CNP19: Sustainable design
 - Policy CNP20: Renewable energy and climate change impact
 - Policy CNP21: Community facilities
 - Policy CNP22: Highway and transport
 - Policy CNP23: Addressing flood risk and drainage
 - Policy CNP24: Protecting the environment and amenity
- 5.4 The plan reached examination stage in June 2022 and four policies have been modified as a result of the examination:
- Policy CNP 2: Development Strategy (minor wording amendment)
 - Policy CNP10: Housing Development in Clifford Village (wording to include reference to Heritage Statement).

- Policy CNP12: Design (minor one word change)
- Policy CNP16: Working from home (deleted)

6 Assessing the impacts of the in combination effects of the Clifford Neighbourhood Plan

- 6.1 Each of the policies and proposals of the neighbourhood plan have been considered in more detail to ascertain whether the impacts are likely to have a significant effect on the site integrity and in combination with other neighbourhood plans and policies.
- 6.2 There are a number of potentially relevant plans and projects which may result in in-combination effects with the Core Strategy across Herefordshire, these plans have been reviewed and can be found in Appendix 2 of the HRA of the Core Strategy and specifically for this neighbourhood plan in the Stage A report dates June 2015
- 6.3 In terms of growth, the neighbourhood plan does not contribute above and beyond the growth targets for the housing market area requirements as set out within the Core Strategy.
- 6.4 The adjoining area neighbourhood plan are:
- Brilley – adopted
 - Eardisley Group – adopted
 - Wyeside Group – adopted
 - Dorstone – adopted
 - Cusop – adopted
- 6.5 The combination of the growth proposed within these plans does not exceed that set out within the Core Strategy.
- 6.6 The HRA for the Core Strategy also identifies that both the Water Cycle Study for Herefordshire, which indicates the potential for planned water abstraction requirements combined with pressures on European Sites from the Core Strategy policies, and the review work on the Nutrient Management Plan, have both been considered as part of the in-combination assessment.
- 6.7 It is unlikely that the Clifford Plan will have any in-combination effects with any plans from neighbouring parish councils as the level of growth proposed is the same as that proposed for the Hereford Housing Market Area in the Herefordshire Core Strategy.
- 6.8 A matrix has been used to assess all the policies and proposals within the neighbourhood plan and full details can be seen in appendix 3.

7 Mitigation measures

- 7.1 An Appropriate Assessment is being undertaken as the Clifford Neighbourhood Plan is located within the River Wye catchment area. Although this section of the Upper Wye is not failing its water quality objectives, Natural England have raised this as an issue. The consideration of mitigation also required the consideration within an Appropriate Assessment. Clearly, water quality within the SAC is the predominate issue here and this is reflected within the assessment undertaken.

- 7.2 It is therefore the ability to consider any potential mitigation measures, which could be, applied that would reduce the likely significant effects on the integrity of the site. The following potential mitigation measures are indicated below. The summary of findings will indicate if any of these are relevant to the Clifford NDP.

Policy SD4

- 7.3 Policy SD4 is contained within the adopted Herefordshire Core Strategy. This is not seen as a mitigation measure as the development plan should be read as a whole. However, compliance with the policy is required for any planning application within the catchment area. Therefore, no site allocations proposed within the neighbourhood plan will receive planning permission unless they can also meet the criteria of Policy SD4.
- 7.4 It should be borne in mind that site allocations do not grant permission for a site and do not directly lead to development. All site allocations will still require planning permission to be granted before any development can take place. This means that all site allocation will be subject to a further environmental assessment/Habitat Regulation Assessment/Appropriate Assessment prior to development taking place or any potential impact to the SAC directly.
- 7.5 Although all proposals will need to demonstrate compliance with Policy SD4, this does not give sufficient scientific certainty alone and other measures will need to be considered.

Waste Water Sewage Treatment works

- 7.6 Dwr Cymru Welsh Water (DCWW) are making improvements to its Waste Water Treatment Works to reduce phosphate levels from the treatment discharge. DCWW are on target to deliver requirements within the AMP7 assessment management planning. The following treatment works within the River Wye catchment have or proposed to have phosphate limits:
- Eign, Hereford
 - Rotherwas, Hereford
 - Ross Lower Cleeve
 - Bromyard
 - Pontrilas
 - Kingstone and Madley
 - Leominster)
 - Moreton on Lugg
 - Kington
 - Weobley
- 7.7 It is however noted that Clifford is not on mains drainage and septic tanks or private works serve the majority of the properties within the parish. Therefore, this is not a mitigate measure that can be used within this NDP area but it will provide some reduction in phosphate levels within the river catchment area.
- 7.8 The proposed Levelling Up and Regeneration Bill (LURB) will place a new statutory duty on water and sewerage companies in England to upgrade wastewater treatment works to the highest technically achievable limits by 2030.

Natural England Nutrient Mitigation Scheme

- 7.9 Working with Defra and DLUHC, Natural England will be establishing a Nutrient Mitigation Scheme to identify mitigation projects within the catchment to frontload investment; this

could include wetland and woodland creation schemes. The recent advice from DLUHC indicates that LPA can be confident that upgrades and mitigation will be in place by 2030 reducing the mitigation requirements for the in perpetuity period. The delivery of sites can take into account this strategic mitigation and the accelerated timescales for mitigation schemes and water treatment upgrades.

Nutrient Management Plan review

- 7.10 The Dutch judgment means that the current Nutrient Management Plan (NMP) can no longer be relied upon as mitigation as there is not enough certainty that the measures set out within the current plan can be delivered. Therefore, the current NMP does not provide reasonable scientific certainty as a mitigation measure.
- 7.11 The Nutrient Management Board comprises of a number of partners including Natural England, Environment Agency, National Farmers Union, local planning authorities and Welsh Water.
- 7.12 The Board is working on reviewing and revising the NMP so that the measures contained within it can be relied upon as mitigation once more. An updated NMP has been produced and published.

Proposed wetlands and the Interim Development Plan

- 7.13 Herefordshire Council are currently investigating the potential for integrated wetlands to assist in the reduction of phosphate levels within the river Lugg catchment. Wetlands can remove phosphorous from surface water runoff or stream flow or remove the final effluent from waste water treatments plants or package treatment plants. They are designed to filter, use sedimentation and plant take up. If the management of wetlands can be secured then they will provide a significant reduction in phosphorous within the Lugg catchment.
- 7.14 The Interim Development Plan includes proposed wetlands and other agricultural measures including buffer zones which will provide a reduction in phosphorous in the catchment.
- 7.15 There are currently no plans for integrated wetlands within the Upper Wye catchment.

Nutrient Neutral / betterment

- 7.16 Nutrient Neutrality is where mitigation measures or avoidance included within the neighbourhood plan can counterbalance any phosphate increase attributed to the plan's policies and proposals or would lead to betterment. Neutrality will need to be demonstrated with certainty. The development will need to show that it avoids harm to the protected site or provided the level of mitigation required to ensure that there is no adverse effects.
- 7.17 The Clifford NDP contains a specific requirement for all developments to demonstrate nutrient neutrality in order to gain planning permission – Policy CNP5. The specific range of mitigation measures to enable this to take place are contained within the Interim Phosphate Plan – Stage 2 which is available on the Herefordshire Council website. This document can give applicants a wide range of mitigation options which can be tailored to the local requirements. As the scientific knowledge is growing all the time, the most appropriate place for this information is within the Stage 2 report with a link to the Policy reasoned justification.
- 7.18 **Providing options to developers and applicants** - Additional guidance is provided to developers seeking to provide nutrient neutral developments. The *Interim Phosphate*

Delivery Plan Stage 2 – Mitigation options for phosphate removed provides a range of potential mitigation solutions that could be used and a set of recommendations are included to provide a robust solution to achieve nutrient neutral residential developments. This document has been available on the Councils website since March 2021.

- 7.19 The **interim Phosphate Delivery Plan Stage 1** provides guidance to calculating the phosphate budget for new developers with a phosphate calculate tool. Regular position statements are placed on the Council's website to update developers and applicants for the requirements to demonstrate nutrient neutrality and the options for this.
- 7.20 As the work is ongoing and moving at a pace, it is considered that the best and most accurate guidance for developers on the options to achieve nutrient neutrality is within these guidance documents on the website and not specifically within the NDP policy or text. This is because during the plan period, methods could be refined and solutions that are more appropriate found. The guidance notes and website can easily respond to this update unlike the supporting text of the neighbourhood plan

Interim approach to planning applications

- 7.21 There remains potential for a positive appropriate assessment to enable development to proceed, on Natural England's advice, where it can be demonstrated that development is nutrient neutral as outlined above. Five criteria have been established where phosphates would be unlikely to reach the river as there is no pathway for impacts, these would be adjudged during the planning application stage.
- 7.22 These are:
- Drainage fields is more that 50m from the designated site boundary and;
 - Drainage field is more than 50m from any surface water feature (ditch, drain, watercourse and;
 - Drainage field is in an area with a slope no greater than 15% and;
 - Drainage field is in an area where the high water table groundwater depth is at least 2m below the surface at all times and;
 - There are no other hydrological pathways which would expedite the transport of phosphorous (fissured geology, shallow soil, flooding)
- 7.23 It should be noted that the only planning applications within the River Lugg catchment are required to demonstrate meeting these five tests at present. Clifford is not within the River Lugg catchment but the Upper Wye.

8 Summary of findings

- 8.1 This assessment has considered the likely significant effects of the Clifford Neighbourhood Plan on the following National Network Sites
- River Wye (including the River Lugg) SAC
- 8.2 The neighbourhood area falls within the Upper Wye catchment area and although this area is not failing its water quality objectives at present, an Appropriate Assessment is being undertaken in light of recent comments from Natural England.
- 8.3 The table within Appendix 3 show the detail of each policy and proposals assessed.
- 8.4 After an initial screening 14 policies are concerned to have potential likely significant effects.

Policy CNP2

Policy CNP8
Policy CNP9
Policy CNP10
Policy CNP11
Policy CNP13
Policy CNP14
Policy CNP15
Policy CNP16
Policy CNP17
Policy CNP18
Policy CNP20
Policy CNP21
Policy CNP22
Policy CNP23

- 8.5 The majority of these policy not site allocations but have criteria to support development. They would all require a further planning application.
- 8.6 The 3 site allocations: Land at Wellfield Bungalow (now under construction); Land south of White House; and land north of Lower Court Farm have also been assessed. It should be borne in mind that site allocations do not grant planning permission and all site allocations will be subject to a more detailed assessment at planning application stage.
- 8.7 The most significant issue is regarding water quality and these is the forms the majority of the assessment of these policies.
- 8.8 At this stage the appropriate mitigation measures can also be considered against each of the policies. The table with appendix 3 indicates where this has been the case. Herefordshire Council are investigate a wide range of mitigation measures and working with partners to resolve the current water quality issues within the Lugg catchment and are minded to the water quality within the Upper and Lower Wye catchment areas.
- 8.9 Following the previous assessment, the NDP has included some additional wording the need for a foul and sewerage management strategy, as there are not main facilities within the parish. This would enable the considerations of drainage to be taken fully into account prior to any applications being granted. The NDP does contain a specific policy requiring all developments to be nutrient neutral (Policy CNP5).
- 8.10 The parish is not within a catchment which is currently 'failing' but a policy with regards to the need for nutrient neutrality has been included. This is a policy safeguard if during the plan period the Upper Wye catchment did follow that of the current Lugg catchment.
- 8.11 The mitigation measures referenced within the document could be expanded and refined prior to any planning permissions in association with the policies of this development plan are approved. Hence reference to the Phosphate Calculator and Interim Plan within the reasoned justification is appropriate to ensure safeguards against this evolving situation and flexibility to include tested mitigation measures once the plan is adopted
- 8.12 The national nutrient neutrality and migration announced within the Ministerial Statement dated 20 July 2022 also demonstrate evidence that mitigation will be in place during the plan period of 2031.

8.13 The results of this Appropriate Assessment indicate that there will not be a significant effect on the integrity of the River Wye (including River Lugg) SAC when the mitigation and avoidance measures have been taken into account. Outlined in section 6 and 7 of this assessment.

8.14 **Therefore it is concluded that there will not be any likely significant effects on the integrity of the River Wye (including River Lugg) SAC.**

9 Consultation

9.1 This report will accompany the final version of the Clifford Neighbourhood Plan which is current awaiting referendum and (if successful) final adoption.

Appendix 1

**Initial Habitat Regulations Assessment and Strategic Environmental
Assessment Screening Notification**

The Neighbourhood Planning (General) Regulation 2012 (Reg. 32)

Conservation of Habitats and Species Regulations 2010 (d)

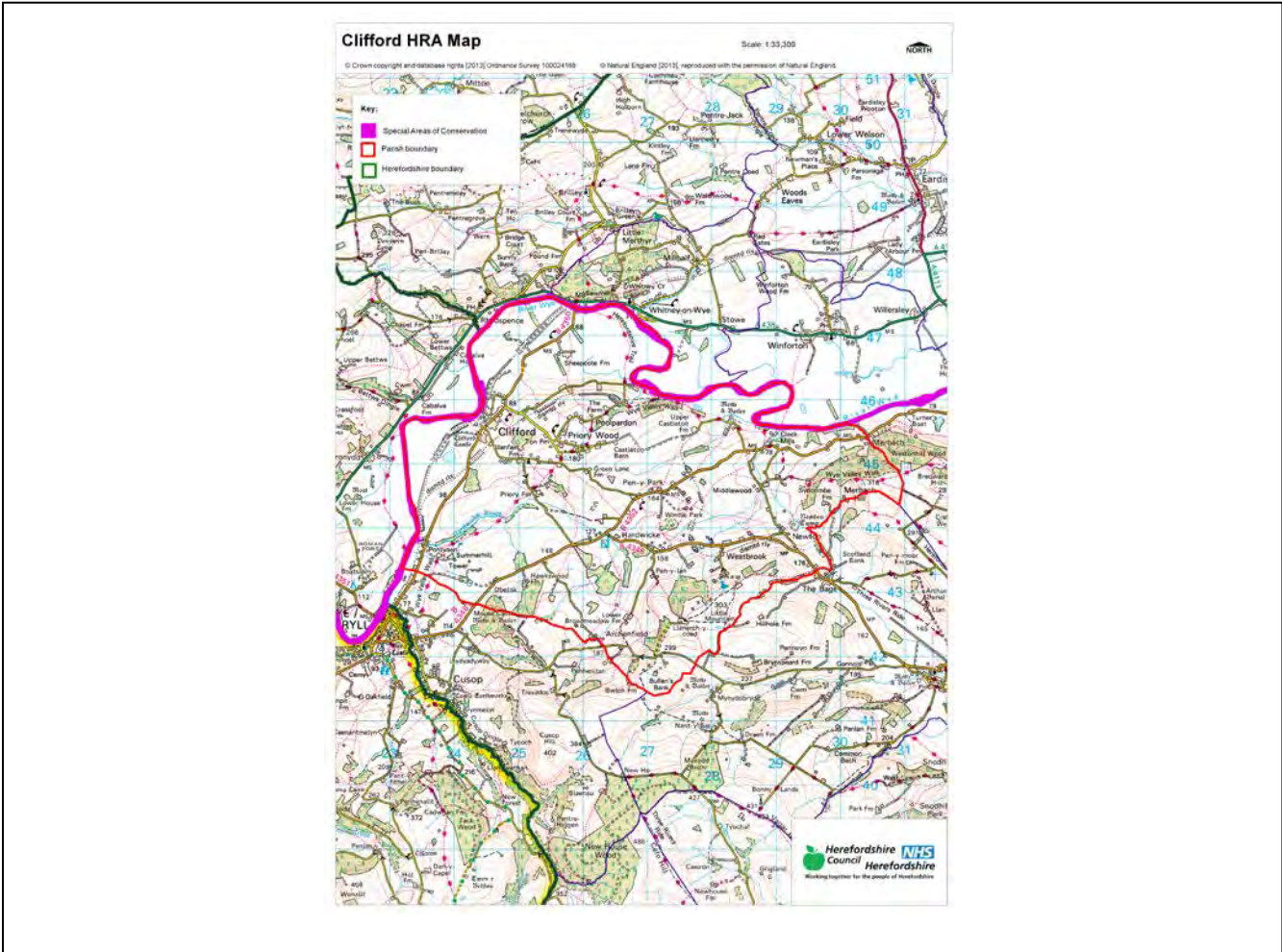
Neighbourhood Area:	Clifford Neighbourhood Area
Parish Council:	Clifford Parish Council
Neighbourhood Area Designation Date:	27/03/2013

Introduction

This Initial Habitat Regulations Assessment (HRA) and Strategic Environmental Assessment (SEA) Screening has been undertaken to assess whether any European sites exist within or in proximity to the neighbourhood area which could be affected by any future proposals or policies.

Through continual engagement the outcomes of any required assessments will help to ensure that proposed developments will not lead to Likely Significant Effects upon a European Site or cause adverse impacts upon other environmental assets, such as the built historic or local natural environment.

**HRA Initial Screening: Map showing relationship of Neighbourhood Area with European Sites
(not to scale)**



Initial HRA Screening

River Wye (including the River Lugg) SAC:

Does the Neighbourhood Area have the River Wye (including the River Lugg) in or next to its boundary?	Y	The River Wye runs along the northern and western borders of the Parish
Is the Neighbourhood Area in the hydrological catchment of the River Wye (including the River Lugg) SAC?	Y	The Parish is within the hydrological catchment of the River Wye.
If yes above, does the Neighbourhood Area have mains drainage to deal with foul sewage?	Y	There is mains drainage at Clifford

Downton Gorge SAC:

Is the Neighbourhood Area within 10km of Downton Gorge SAC?	N	Downton Gorge is 30.1km away from the Parish
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River Clun SAC:

Does the Neighbourhood Area include: Border Group Parish Council or Leintwardine Group Parish Council?	N	River Clun does not border the Parish
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Usk Bat Sites SAC:

Is the Neighbourhood Area within 10km of the SAC boundary?	N	Usk Bat Sites are 26.8km away from the Parish
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Wye Valley & Forest of Dean Bat Sites SAC:

Is the Neighbourhood Area within 10km of any of the individual sites that make up the Wye Valley & Forest of Dean Bat Sites?	N	The Group Parish is 42.6km away from Wye Valley and Forest of Dean Bat Sites
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Wye Valley Woodlands SAC:

Is the Neighbourhood Area within 10km of any of the individual sites that make up the Wye Valley Woodlands Site?	N	The Parish is 37km away from the Wye Valley Woodlands
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HRA Conclusion:

The assessment above highlights that the following European Sites will need to be taken into account in the future Neighbourhood Development Plan for the Clifford Neighbourhood Area and a Full HRA Screening will be required.

European Site

(List only those which are relevant from above)

River Wye (including the River Lugg) SAC

Strategic Environmental Assessment Initial Screening for nature conservation landscape and heritage features

The following environmental features are within or in general proximity to the Clifford Neighbourhood Area and would need to be taken into account within a Strategic Environmental Assessment. In addition, the NDP will also need to consider the other SEA topics set out in Guidance Note 9a to ensure that the plan does not cause adverse impacts.

SEA features	Total	Explanation	SEA required
Air Quality Management Areas	0	There are no AQMA's within the Group Parish	N
Ancient Woodland	18	Rhydspence Plantation (border); Kiln Ground Wood (border); Ton Wood; Grove Wood; Castleton Hill Wood; Windle Park Wood; Garnold Wood; Hardwick Brook Wood; New Coppice; Pikes Wood; Newhouse Wood; Cot Wood; Cwm Bach Wood; Hawks Wood; Mousecastle Wood; Benfield Park (border); 2 x unlabelled sites in the south east of the Parish	Y
Areas of Archaeological Interest	0	There are no AAI's within the Parish	N
Areas of Outstanding Natural Beauty	0	There are no AONB's within the Parish	N
Conservation Areas	0	There are no Conservation Areas within the Parish	N
European Sites	1	The River Wye flows along the northern and western borders of the Parish	Y
Flood Areas		Flood Zones run along the River Wye, and also along Hardwick Brook, and a small brook in the north of the Parish from Clock Mills to Newton Tump	Y
Listed Buildings	Numerous	There are numerous Listed Buildings throughout the Parish	Y
Local Sites (SWS/SINCs/RIGS)	17 (SWS)	River Wye; Rhydspence Plantation and adjoining sites (border); Land at Nursery, Rhydspence (border); Woodlands and meadow south of Brilley (border); Clifford Common; Ton Wood; Leech Pool; Grove Wood; Hardwick Brook; Mousecastle, Hawks & Scudamore Common Woods; New Coppice; Alt Common & Cot Wood; Little Mountain & Newhouse Wood; Bach Dingle; Roadside verge, south side of B4348; Merbach Hill, Benfield Park & Weston Hill Woods; Windle Wood	Y
Long distance footpaths/trails	2	Wye Valley Walk; Herefordshire Trail	Y
Mineral Reserves	0	There are no Minerals Reserves Sites within the Parish	N
National Nature Reserve	0	There are no NNR's within the Parish	N
Registered & unregistered	4	Clifford Deer Park; The Priory; The	Y

parks and gardens	Unregistered	Moor, Clifford; Whitney Court (border)	
Scheduled Ancient Monuments	6	Clifford Castle; Mouse Motte & Bailey Castle (border); Newton Tump; The westernmost of a pair of bowl barrows, 310m north east of Llanerch-Y-Coed; Motte & Bailey Castle, north of Old Castleton; Motte Castle 150m east of Tump House Farm	Y
Sites of Special Scientific Interest	1	River Wye (Unfavourable Recovering)	Y

Decision Notification:

The initial screening highlights that the Neighbourhood Development Plan for the Clifford Neighbourhood Area:

- a) Will require further environmental assessment for Habitat Regulations Assessment and Strategic Environmental Assessment.

Assessment date: 04/06/2013

Assessed by: James Latham

Appendix 1: European Sites

The table below provides the name of each European Site, which has been screened in for the purposes of neighbourhood planning in Herefordshire; includes their site features of integrity; and vulnerability data. This is based on the sites individual features of integrity and their vulnerabilities, which could include distance criteria. This has been used in identifying which parishes are likely to require a full HRA Screening of their future Neighbourhood Development Plan, to establish if their plan might have Likely Significant Effects on a European Site.

Downton Gorge
Site Features: <i>Tilio-Acerion</i> forests of slopes, screes and ravines
Vulnerability data: 10km for air quality associated with poultry units or other intensive agricultural practices.
River Clun
Site Features: Freshwater pearl mussel <i>Margaritifera margaritifera</i>
Vulnerability data: Water quality is important to maintain the site feature. Parishes either side of the River Clun will be affected.
River Wye
Site Features: Water courses of plain to montane levels with the <i>Ranunculion fluitantis</i> and <i>Callitricho-Batrachion</i> vegetation. Transition mires and quaking bogs. White-clawed (or Atlantic Stream) crayfish <i>Austropotamobius pallipes</i> . Sea lamprey <i>Petromyzon marinus</i> . Brook lamprey <i>Lampetra planeri</i> . River lamprey <i>Lampetra fluviatilis</i> . Twaite shad <i>Alosa fallax</i> . Atlantic salmon <i>Salmo salar</i> . Bullhead <i>Cottus gobio</i> . Otter <i>Lutra lutra</i> . Allis shad <i>Alosa alosa</i>
Vulnerability data: Proximity: Developments should not be within 100m of the designated bank. Some developments beyond 100m may also have impacts based on proximity and these issues should be addressed where possible when developing NDP policy and choosing site allocations. Water Quality: Within the whole catchment of the River Wye, which includes the River Lugg, mains drainage issues with regards to water quality are being resolved through the Core Strategy / Local Plan and development of a Nutrient Management Plan. Welsh Water should be consulted to ensure that the proposed growth will be within the limit of their consents. Otters: "An otter will occupy a 'home range', which on fresh waters usually includes a stretch of river as well as associated tributary streams, ditches, ponds, lakes and woodland. The size of a home range depends largely on the availability of food and shelter, and the presence of neighbouring otters. On rivers, a male's home range may be up to 40km or more of watercourse and associated areas; females have smaller ranges (roughly half the size) and favour quieter locations for breeding, such as tributary streams. Otters without an established home range are known as 'transients'. They are mostly juveniles looking for a territory of their own, or adults that have been pushed out of their territories. Transient otters may use an area for a short while, but they will move on if conditions are not suitable or if they are driven away by resident otters. Transients will have been important in extending the range of otters, but they are very difficult to identify from field signs. Within a home range an otter may use many resting sites. These include above-ground shelters, such as stands of scrub or areas of rank grass, and underground 'holts' – for example, cavities under tree roots and dry drainage pipes." (Source: EA website: http://www.environmentagency.gov.uk/static/documents/Business/Otters_the_facts.pdf accessed 09/04/2013)

Usk Bat Site

Site Features: Annex I habitats present as a qualifying feature, but not a primary reason for site selection: European dry heaths, Degraded raised bogs still capable of natural regeneration, Blanket bogs, Calcareous rocky slopes with chasmophytic vegetation, Caves not open to the public, *Tilio-Acerion* forests of slopes, screes and ravines. Annex II species of primary reason for site selection: Lesser horseshoe bat *Rhinolophus hipposideros*, UK population 5%, although it is suggested this is an underestimate.

Vulnerability data: Lesser Horseshoe bats are known to migrate between 5km and 10km between their summer and winter roosts. The Lesser Horseshoe Bat is vulnerable to disturbance; light pollution; and habitat loss. Check with the planning ecologist for other issues.

Wye Valley and Forest of Dean Bat Sites

Site Features: Annex II species that are a primary reason for site selection: Lesser horseshoe bat *Rhinolophus hipposideros*. Greater horseshoe bat *Rhinolophus ferrumequinum*

Vulnerability data: Lesser Horseshoe bats are known to migrate between 5km and 10km between their summer and winter roosts. The Lesser Horseshoe Bat is vulnerable to disturbance; light pollution; and habitat loss. Check with the planning ecologist for other issues.

Greater Horseshoe bats are known to migrate between 20-30km between their summer and winter roosts.

NDPs closest to the European Site will need to consider:

Woodland habitat buffer.

Lesser Horseshoe Bat: Old buildings; woodland locations; sheltered valleys, extensive deciduous woods or dense scrub, close to roost sites. In areas of fragmented habitats, linear habitats such as hedgerows are important corridors. Vulnerable to loss or disturbance of both summer and winter roosts and removal of linear habitat.

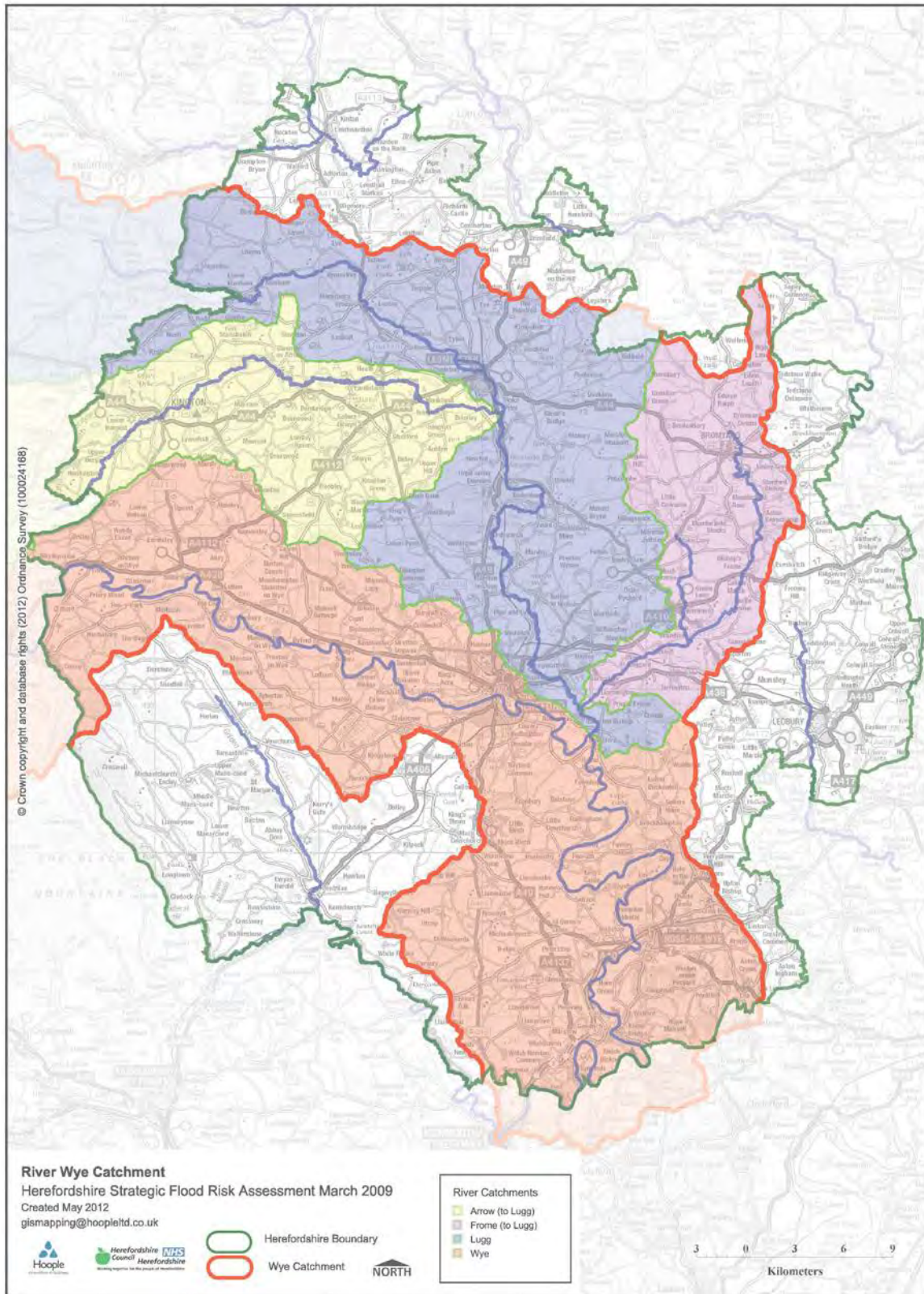
Greater Horseshoe Bat: Large buildings, pasture, edge of mixed deciduous woodland and hedgerows. Mixed land-use especially south-facing slopes, favours beetles, moths and insects they feed on. During the winter they depend on caves, abandoned mines and other underground sites for undisturbed hibernation. A system/series of sites required. Vulnerable to loss of insect food supply, due to insecticide use, changing farming practices and loss of broad-leaved tree-cover and loss / disturbance of underground roosts sites.

Wye Valley Woodlands

Site Features: Annex I habitats that are a primary reason for site selection: Beech forests *Asperulo-Fagetum*, *Tilio-Acerion* forests of slopes, screes and ravines, *Taxus baccata* woods of the British Isles. Annex II species present as a qualifying feature, but not a primary reason for site selection: Lesser horseshoe bat *Rhinolophus hipposideros*, 51-100 residents

Vulnerability data: Lesser Horseshoe bats are known to migrate between 5km and 10km between their summer and winter roosts. The Lesser Horseshoe Bat is vulnerable to disturbance; light pollution; and habitat loss. Check with the planning ecologist for other issues. NDPs closest to the European Site will need to consider: Woodland habitat buffer. Lesser Horseshoe Bat: Old buildings; woodland locations; sheltered valleys, extensive deciduous woods or dense scrub, close to roost sites. In areas of fragmented habitats, linear habitats such as hedgerows are important corridors. Vulnerable to loss or disturbance of both summer and winter roosts and removal of linear habitat.

Appendix 2: Wye Catchment Map



Appendix 2

Consultation date: **26 October to 8 December 2020 (Reg14)**

N.B. This consultation feedback is ***only*** for comments received on the HRA draft report

Consultee	Summary of Comments	Response to Comments
Natural England	<p>The Upper Wye is at risk of failing its conservation objectives for phosphate Sections addressing impacts need to be made clearer Mitigation cannot be taken into account at screening stage, must proceed to an AA</p> <p>4.7 indicates DCWW have no issues with accommodating growth within the Core Strategy but this does not equate to no issues with phosphate. Para 6.7 indicates that Clifford has not mains drainage</p> <p>6.4 the distance from the River Wye SAC does not automatically rule out impacts</p> <p>6.7 discharges from septic tanks and package treatment plants contain phosphate</p> <p>It is not possible to rely on the Nutrient Management Plan for mitigation</p>	An Appropriate Assessment will be undertaken for the Reg16 version of the NDP
Heritage England	No comments received	
Environment Agency	No comments received	
Natural Resources Wales	No comments received	

Appendix 3

Neighbourhood Plan Policy Screening – Clifford Neighbourhood Plan

Policy Number	Potential effect	In-combination effects	Likely Significant effect (Yes/ No and state how)
CNP1 Promoting sustainable development	<p>Policy itself will not lead to development</p> <p>Policy is guiding development away from the sensitive site</p> <p>Policy is seeking to enhance and or protect the natural environment in general</p> <p>Policy is seeking to conserve, enhance or protect the built, natural and/or historic environment</p>	The policy is seeking to provide criteria to enable development in an sustainable way	No, the policy does not lead to development
CNP2 Development Strategy	<p>Policy itself will not lead to development</p> <p>The location of the development is currently unknown, its implementation will be subject to a planning application</p>	<p>Seeking to deliver proportional growth during the plan period within a settlement boundary</p> <p>Increase traffic</p> <p>Increase demand on water abstraction</p> <p>Increased demand on sewerage treatment</p>	LSE The policy is seeking to provide residential development within the plan period
CNP3 Conserving and enhancing the landscape of the parish	Policy is seeking to enhance and or protect the natural environment in general		No, the policy is seeking to protect the landscape within the parish and will not lead to development itself

Policy Number	Potential effect	In-combination effects	Likely Significant effect (Yes/ No and state how)
<p>CNP4 Protecting the scenic beauty of the parish</p>	<p>Policy itself will not lead to development</p> <p>Policy is seeking to enhance and or protect the natural environment in general</p>	<p>This will have a positive effect</p>	<p>No, the policy is seeking to protect the views within and around the parish and will not lead to development itself</p>
<p>CNP5 Conserving and enhancing the natural environment of the parish</p>	<p>Policy itself will not lead to development</p> <p>Policy is seeking to enhance and or protect the natural environment in general</p> <p>Policy is specifically seeking to protect sensitive sites</p> <p>Policy is guiding development away from the sensitive sites</p>	<p>This will have a positive effect</p>	<p>No, the policy is seeking to protect designated and priority features and require all developments to be nutrient neutral.</p>
<p>CNP6 Protecting and enhancing the heritage assets of the parish</p>	<p>Policy itself will not lead to development</p> <p>Policy is seeking to conserve, enhance or protect the built, natural and/or historic environment</p> <p>Policy is specifically seeking to protect sensitive sites</p> <p>Policy is guiding development away from the sensitive sites</p>	<p>This will have a positive effect</p>	<p>No, the policy is seeking to protect important heritage assesses</p>

Policy Number	Potential effect	In-combination effects	Likely Significant effect (Yes/ No and state how)
CNP7 Protection of Local Green Spaces	Policy itself will not lead to development Policy is seeking to enhance and or protect the natural environment in general	Policy is seeking to protect two important local green spaces from development	No, the policy is seeking to protect open spaces from development
CNP8 Housing Development in Prior Wood	The location of the development is currently unknown, its implementation will be subject to a planning application	Defining the area for potential housing growth Increased traffic Increased demand on water abstraction Increase demand on sewerage treatment	LSE The policy is seeking to deliver dwellings within a defined settlement boundary for Prior Wood
CNP9 Housing development in Clifford Village	The location of the development is currently unknown, its implementation will be subject to a planning application	Defining the area for potential housing growth Increased traffic Increased demand on water abstraction Increase demand on sewerage treatment	LSE The policy is seeking to deliver dwellings within a defined settlement boundary for Clifford village
CNP10 Housing sites in Clifford Village	See specific site allocations below		
CNP11 Community led housing	Policy itself will not lead to development The location of the development is currently unknown, its implementation will be subject to a planning application	Seeking to provide affordable housing Increased traffic Increased demand on water abstraction Increase demand on sewerage treatment	LSE The policy is seeking to deliver affordable housing dwellings

Policy Number	Potential effect	In-combination effects	Likely Significant effect (Yes/ No and state how)
CNP12 Design of housing development within settlement boundaries	Policy itself will not lead to development		No, the policy is providing criteria for the design of developments, these include biodiversity aspects
CNP13 Supporting local business	The location of the development is currently unknown, its implementation will be subject to a planning application	Policy to support local employment opportunities Contains a specific policy criteria regarding protection or the SAC Increased traffic Increased demand for water abstraction and sewerage treatment	LSE The locations of the development is yet to be known
CNP14 Farm diversification	The location of the development is currently unknown, its implementation will be subject to a planning application	Policy to support local farm diversification opportunities Contains a specific policy criteria regarding protection or the SAC Increased traffic Increased demand for water abstraction and sewerage treatment	LSE The locations of the development is yet to be known
CNP15 Tourism development	The location of the development is currently unknown, its implementation will be subject to a planning application	Policy to support local tourism opportunities Increased traffic Increased demand for water abstraction and sewerage treatment	LSE The locations of the development is yet to be known
CNP16 Working from Home	The location of the development is currently unknown, its	Increased movement Increased demand for water and sewerage	LSE The location of any development is yet to be known

Policy Number	Potential effect	In-combination effects	Likely Significant effect (Yes/ No and state how)
	implementation will be subject to a planning application		
CNP17 Polytunnel proposals	The location of the development is currently unknown, its implementation will be subject to a planning application	Increased movement Increased demand for water and sewerage	LSE The location of any development is yet to be known
CNP18 Intensive livestock units	The location of the development is currently unknown, its implementation will be subject to a planning application The policy could have a likely to have an impact on water quality	Increased movement Increased demand for water Increase potential by product	LSE The location of any development is yet to be known
CNP19 Sustainable design	Policy itself will not lead to development	This will have a positive effect	No, the policy will not lead to development itself but contains criteria for developments to meet
CNP20 Renewable energy and climate change impact	The location of the development is currently unknown, its implementation will be subject to a planning application	Increased movement Increase disturbance	LSE The location of any development is yet to be known
CNP21 Community facilities	The location of the development is currently unknown, its implementation will be subject to a planning application	Increased movement Increased demand for water and sewerage	LSE The location of any development is yet to be known
CNP22 Highway and transport	The location of the development is currently unknown, its implementation will be subject to a planning application	Increased movement	LSE The location of any development is yet to be known

Policy Number	Potential effect	In-combination effects	Likely Significant effect (Yes/ No and state how)
CNP23 Addressing flood risk and drainage	Policy itself will not lead to development	Policy is seeking applicants to consider flooding and drainage issues as part of any scheme and encouraging wet systems for biodiversity	LSE Schemes could have a positive effect on flooding and drainage issues
CNP24 Protecting the environment and amenity	Policy itself will not lead to development Policy is specifically seeking to protect sensitive sites Policy is guiding development away from the sensitive sites	The policy is seeing to reduce light pollution within the parish and reducing contamination	No, the policy is seeking to reduce lighting and contamination within the parish. This will add nocturnal specifics and reducing farm contamination will have a positive effect on the wider environment

Site Allocation	Potential effect	In-combination effects	Likely Significant effect
Land north of Wellfield Bungalow, Clifford 0.4 hectares 5 dwellings			This site already has permission
Land to South of White House 0.2 hectares 4 to 6 dwellings			This site already has permission
Land north of Lower Court Farm 1.5 hectares 10 dwellings	The policy could have a likely to have an impact on water quality The policy could have a likely to have a disturbance effect on the sensitive site	Policy for housing development in line with the target within the Core Strategy Increase traffic and movement Increase demand for water abstraction and sewerage treatment	LSE Site allocation

Appropriate Assessment policy assessment – Clifford Neighbourhood Plan

Policy CNP2: Development Strategy

Likely signification effect – foul water, surface water, water quality in the river.

Possible Mitigation measures

Mitigation	Description
Main sewerage system	<p>There is no mains drainage within the Clifford village or Prior Woods except a small number of houses to the south-west. Therefore, the areas within the settlement boundaries are not covered by the main sewerage area.</p> <p>The majority of the proportional growth will be targeted to areas where a foul and surface water management strategy will be required for any developments which needs to be agreed in writing by the Local Planning Authority</p>
WWTW	<p>The proportional growth requirement is within the expected for the Golden Valley Market area within the Core Strategy and agreed by Welsh Water. Welsh Water have and are continuing to include phosphate stripping in a number WWTW across the county. This will have a positive impact on the catchment in general.</p> <p>However, the development within these settlement boundaries are not connected to WWTW. Therefore, specific foul and water management strategy will be needs within all proposals which needs to be agreed in writing by the Local Planning Authority.</p>
Integrated Wetlands	<p>A programme of delivering integrated wetland is planned to create a number of wetlands to aid the reduction of phosphate within the catchment. The delivery of a number of these wetlands will be within the plan period. Any wetland will need to be upstream of the proposal to form potential mitigation.</p>
Revised Nutrient Management Plan	<p>A revised Nutrient Management Plan is underway which will contain a variety of measures by partners including the Environment Agency, Welsh Water, Farm Herefordshire and National Farmers Union to reduce phosphate levels within the catchment. This will be finalised within the plan period. This NMP cannot be relied upon at this stage.</p>
Interim Phosphate Plan Stage 2	<p>This document provides a range of potential mitigation solutions that could used within the parish. A set of recommendations are included to provide a robust solution to achieve nutrient neutral residential developments. This document has been available on the Councils website since March 2021 and can be found on the link below</p> <p>https://www.herefordshire.gov.uk/downloads/file/22211/interim-phosphate-delivery-plan-stage-2-non-technical-summary</p>
Other considerations	<p>The Clifford settlement boundary is located 250m from the River Wye. Policy CNP5 seeks to protect the ecological network within the parish and specifically includes the requirement for development proposals to</p>

	<p>demonstrate nutrient neutrality to safeguard the upper Wye catchment during the plan period. Policy CNP24 seeks to reduce lighting and contamination to protect the environment and biodiversity</p> <p>Two of the three proposed housing sites within the plan currently have planning permission.</p> <p>The proportionate growth requirements within the Core Strategy have already been met by existing commitments</p>
<p>In-combination policies</p>	<p>The policy does not grant permission or lead to development in itself. It is seeking to comply with the proportional growth requirements of the Core Strategy Policy RA2. A planning application will be required and any application will need to meet the requirements of Policy SD4 and Policy CNP5</p> <p>The policy criteria within Policy CNP23 (Addressing Flood Risk and discharge policy) includes the requirement for suitable sustainable drainage or wet systems.</p> <p>Policy SD4 required all developments to meet criteria to not undermine the water quality objectives of the SAC.</p> <p>Policy CNP5 requires all developments to be nutrient neutral</p>

Residual effects – Having taken the above mitigation measures into account, it is considered that there is the NDP would benefit for additional policy regarding the safeguarding of the SAC particularly around water quality. This could include a specific nutrient neutrality policy for Clifford – Policy CNP5. The proportional growth requirements for the parish have been met and two of the three site allocations have within the settlement boundary have planning permission. Additional reference to the need for an agreed foul and surface water management strategy with application would ensure the likely significant effects of the development plan policies have been removed. There are not residual outstanding effects.

Conclusion – the delineation of a settlement boundary within the plan does not directly lead to development. All infill sites within the boundary and housing within the ‘open countryside’ require a planning application. It is suggested that additional wording is added to the last paragraph of the policy to require foul and surface management strategy. If this was included then a conclusion of no likely significant effects would result with regards to the Clifford NDP Policy CNP2

Policy CNP8 – Housing Development in Prior Wood

Likely signification effect – foul water, surface water, water quality in the river.

Possible Mitigation measures

Mitigation	Description
Main sewerage system	<p>There is no main drainage within the Prior Woods except a small number of houses to the south-west.</p> <p>Therefore, the areas within the settlement boundary is not covered by the main sewerage area. The majority of the proportional growth will be targeted to areas where a foul and surface water management strategy will be required for any developments which needs to be agreed in writing by the Local Planning Authority</p>
WWTW	<p>The proportional growth requirement is within the expected for the Golden Valley Market area within the Core Strategy and agreed by Welsh Water. Welsh Water have and are continuing to include phosphate stripping in a number WWTW across the county. This will have a positive impact on the catchment in general.</p> <p>However, the development within these settlement boundaries are not connected to WWTW. Therefore, specific foul and water management strategy will be needs within all proposals which needs to be agreed in writing by the Local Planning Authority.</p>
Integrated Wetlands	<p>A programme of delivering integrated wetland is planned to create a number of wetlands to aid the reduction of phosphate within the catchment. The delivery of a number of these wetlands will be within the plan period. Any wetland will need to be upstream of the proposal to form potential mitigation.</p>
Revised Nutrient Management Plan	<p>A revised Nutrient Management Plan is underway which will contain a variety of measures by partners including the Environment Agency, Welsh Water, Farm Herefordshire and National Farmers Union to reduce phosphate levels within the catchment. This will be finalised within the plan period. This NMP cannot be relied upon at this stage.</p>
Interim Phosphate Plan Stage 2	<p>This document provides a range of potential mitigation solutions that could used and a set of recommendations are included to provide a robust solution to achieve nutrient neutral residential developments. This document has been available on the Councils website since March 2021 and can be found on the link below</p> <p>https://www.herefordshire.gov.uk/downloads/file/22211/interim-phosphate-delivery-plan-stage-2-non-technical-summary</p>
Other considerations	<p>The Priory Wood settlement boundary is located 1km from the River Wye. Policy CNP5 seeks to protect the ecological network within the parish and specifically includes the requirement for development proposals to demonstrate nutrient neutrality to safeguard the upper Wye catchment</p>

	<p>during the plan period. Policy CNP24 seeks to reduce lighting and contamination to protect the environment and biodiversity</p> <p>Two of the three proposed housing sites within the plan currently have planning permission. There are only limited opportunities for growth within the settlement boundary</p> <p>The proportionate growth requirements within the Core Strategy have already been met by existing commitments</p>
<p>In-combination policies</p>	<p>The policy does not grant permission or lead to development in itself. It is seeking to comply with the proportional growth requirements of the Core Strategy Policy RA2. A planning application will be required and any application will need to meet the requirements of Policy SD4</p> <p>The policy criteria within Policy CNP23 (Addressing Flood Risk and discharge policy) includes the requirement for suitable sustainable drainage or wet systems.</p> <p>Policy SD4 required all developments to meet criteria to not undermine the water quality objectives of the SAC.</p> <p>Policy CNP5 requires all developments to be nutrient neutral</p>

Residual effects – Having taken the above mitigation measures into account, it is considered that there is the NDP would benefit for additional policy regarding the safeguarding of the SAC particularly around water quality. This could include a specific nutrient neutrality policy. The proportional growth requirements for the parish have been met and two of the three site allocations have within the Clifford settlement boundary have planning permission. Additional reference to the need for an agreed foul and surface water management strategy with application would ensure the likely significant effects of the development plan policies have been removed. There are not residual outstanding effects.

Conclusion – the delineation of a settlement boundary within the plan does not directly lead to development. All infill sites within the boundary and housing within the ‘open countryside’ require a planning application. It is suggested that additional wording is added to the last paragraph of the policy to require foul and surface management strategy which demonstrates. If this was included then a conclusion of no likely significant effects would result with regards to the Clifford NDP Policy CNP8

Policy CNP9 – Housing Development in Clifford

Likely signification effect – foul water, surface water, water quality in the river.

Possible Mitigation measures

Mitigation	Description
Main sewerage system	There is no main drainage within the Clifford except a small number of houses to the south-west for Prior Wood. Therefore, the areas within the settlement boundary is not covered by the main sewerage area. The majority of the proportional growth will be targeted to areas where a foul and surface water management strategy will be required for any developments which needs to be agreed in writing by the Local Planning Authority
WWTW	The proportional growth requirement is within the expected for the Golden Valley Market area within the Core Strategy and agreed by Welsh Water. Welsh Water have and are continuing to include phosphate stripping in a number WWTW across the county. This will have a positive impact on the catchment in general. However, the development within these settlement boundaries are not connected to WWTW. Therefore, specific foul and water management strategy will be needs within all proposals which needs to be agreed in writing by the Local Planning Authority.
Integrated Wetlands	A programme of delivering integrated wetland is planned to create a number of wetlands to aid the reduction of phosphate within the catchment. The delivery of a number of these wetlands will be within the plan period. Any wetland will need to be upstream of the proposal to form potential mitigation.
Revised Nutrient Management Plan	A revised Nutrient Management Plan is underway which will contain a variety of measures by partners including the Environment Agency, Welsh Water, Farm Herefordshire and National Farmers Union to reduce phosphate levels within the catchment. This will be finalised within the plan period. This NMP cannot be relied upon at this stage.
Interim Phosphate Plan Stage 2	This document provides a range of potential mitigation solutions that could used and a set of recommendations are included to provide a robust solution to achieve nutrient neutral residential developments. This document has been available on the Councils website since March 2021 and can be found on the link below https://www.herefordshire.gov.uk/downloads/file/22211/interim-phosphate-delivery-plan-stage-2-non-technical-summary
Other considerations	The Clifford settlement boundary is located 250m from the River Wye. Policy CNP5 seeks to protect the ecological network within the parish and specifically includes the requirement for development proposals to demonstrate nutrient neutrality to safeguard the upper Wye catchment during the plan period. Policy CNP24 seeks to reduce lighting and contamination to protect the environment and biodiversity

	<p>Two of the three proposed housing sites within the plan currently have planning permission.</p> <p>The proportionate growth requirements within the Core Strategy have already been met by existing commitments</p>
In-combination policies	<p>The policy does not grant permission or lead to development in itself. It is seeking to comply with the proportional growth requirements of the Core Strategy Policy RA2. A planning application will be required and any application will need to meet the requirements of Policy SD4</p> <p>The policy criteria within Policy CNP23 (Addressing Flood Risk and discharge policy) includes the requirement for suitable sustainable drainage or wet systems.</p> <p>Policy SD4 required all developments to meet criteria to not undermine the water quality objectives of the SAC.</p> <p>Policy CNP5 requires all developments to be nutrient neutral</p>

Residual effects – Having taken the above mitigation measures into account, it is considered that there is the NDP would benefit for additional policy regarding the safeguarding of the SAC particularly around water quality. This could include a specific nutrient neutrality policy. The proportional growth requirements for the parish have been met and two of the three site allocations have within the settlement boundary have planning permission. Additional reference to the need for an agreed foul and surface water management strategy with application would ensure the likely significant effects of the development plan policies have been removed. There are not residual outstanding effects.

Conclusion – the delineation of a settlement boundary within the plan does not directly lead to development. All infill sites within the boundary and housing within the ‘open countryside’ require a planning application. It is suggested that additional wording is added to the last paragraph of the policy to require foul and surface management strategy which demonstrates. If this was included then a conclusion of no likely significant effects would result with regards to the Clifford NDP Policy CNP9

Policy CNP10 – Housing Sites in Clifford Village

Site allocation – North of Lower Court Farm

Likely signification effect – foul water, surface water, water quality in the river.

Possible Mitigation measures:

Mitigation	Description
Main sewerage system	<p>There is no main drainage within the Clifford.</p> <p>Therefore, this site is within the settlement boundary but not covered by the main sewerage area. A foul and surface water management strategy will be required for any developments which needs to be agreed in writing by the Local Planning Authority</p>
WWTW	<p>The proportional growth requirement is within the expected for the Golden Valley Market area within the Core Strategy and agreed by Welsh Water. Welsh Water have and are continuing to include phosphate stripping in a number WWTW across the county. This will have a positive impact on the catchment in general.</p> <p>However, this site allocation is not in an area contacted to WWTW. Therefore, specific foul and water management strategy will be needs within all proposals which needs to be agreed in writing by the Local Planning Authority.</p>
Integrated Wetlands	<p>A programme of delivering integrated wetland is planned to create a number of wetlands to aid the reduction of phosphate within the catchment. The delivery of a number of these wetlands will be within the plan period. Any wetland will need to be upstream of the proposal to form potential mitigation.</p>
Revised Nutrient Management Plan	<p>A revised Nutrient Management Plan is underway which will contain a variety of measures by partners including the Environment Agency, Welsh Water, Farm Herefordshire and National Farmers Union to reduce phosphate levels within the catchment. This will be finalised within the plan period. This NMP cannot be relied upon at this stage.</p>
Interim Phosphate Plan Stage 2	<p>This document provides a range of potential mitigation solutions that could used and a set of recommendations are included to provide a robust solution to achieve nutrient neutral residential developments. This document has been available on the Councils website since March 2021 and can be found on the link below</p> <p>https://www.herefordshire.gov.uk/downloads/file/22211/interim-phosphate-delivery-plan-stage-2-non-technical-summary</p>
Other considerations	<p>The Clifford settlement boundary is located 250m from the River Wye.</p> <p>The site currently contains agricultural buildings with the potential of bat activity.</p> <p>Policy CNP5 seeks to protect the ecological network within the parish and specifically includes the requirement for development proposals to demonstrate nutrient neutrality to safeguard the upper Wye catchment</p>

	during the plan period. Policy CNP24 seeks to reduce lighting and contamination to protect the environment and biodiversity
In-combination policies	<p>The policy does not grant permission or lead to development in itself. It is seeking to comply with the proportional growth requirements of the Core Strategy Policy RA2. A planning application will be required and any application will need to meet the requirements of Policy SD4</p> <p>The policy criteria within Policy CNP23 (Addressing Flood Risk and discharge policy) includes the requirement for suitable sustainable drainage or wet systems.</p> <p>Policy SD4 required all developments to meet criteria to not undermine the water quality objectives of the SAC.</p> <p>Policy CNP5 requires all developments to be nutrient neutral</p>

Residual effects – Policy CNP5 requires all developments included this site allocation to clearly and robustly demonstrate that it will not add any additional nutrients to the river and can be nutrient neutral. The interim Phosphate Plan and the phosphate calculator provide developers and applicants with a range of potential bespoke measures to achieve this. It is not appropriate to include this level of specific detail within the policy wording but reference to the Interim Phosphate Plan Stage 2 is recommended to be included within the reasoned justification of the policy background signposting applicants to the most up to date mitigation measures when submitting the required planning application.

Conclusion – the allocation of this site within the plan does not directly lead to development. All site allocations require a planning application which demonstrates that the Policy SD4 and Policy CNP5, CNP23 and CNP24 have been met. It is suggested that additional wording is added to the criteria of the policy to require foul and surface management strategy and reference to the Interim Phosphate Plan stage 2 in the reasoned justification. If this was included then a conclusion of no likely significant effects would result with regards to the Clifford NDP Policy CNP10

Policy CNP11 – Community led Housing

Likely signification effect – foul water, surface water, water quality in the river.

Possible Mitigation measures:

Mitigation	Description
Main sewerage system	<p>There is no main drainage within the Clifford</p> <p>The majority of the proportional growth will be targeted to areas where a foul and surface water management strategy will be required for any developments which needs to be agreed in writing by the Local Planning Authority</p>
WWTW	<p>The development within the parish would not be connected to WWTW. Therefore, specific foul and water management strategy will be needs within all proposals which needs to be agreed in writing by the Local Planning Authority.</p>
Integrated Wetlands	<p>A programme of delivering integrated wetland is planned to create a number of wetlands to aid the reduction of phosphate within the catchment. The delivery of a number of these wetlands will be within the plan period. Any wetland will need to be upstream of the proposal to form potential mitigation.</p>
Revised Nutrient Management Plan	<p>A revised Nutrient Management Plan is underway which will contain a variety of measures by partners including the Environment Agency, Welsh Water, Farm Herefordshire and National Farmers Union to reduce phosphate levels within the catchment. This will be finalised within the plan period. This NMP cannot be relied upon at this stage.</p>
Interim Phosphate Plan Stage 2	<p>This document provides a range of potential mitigation solutions that could used and a set of recommendations are included to provide a robust solution to achieve nutrient neutral residential developments. This document has been available on the Councils website since March 2021 and can be found on the link below</p> <p>https://www.herefordshire.gov.uk/downloads/file/22211/interim-phosphate-delivery-plan-stage-2-non-technical-summary</p>
Other considerations	<p>Policy CNP5 seeks to protect the ecological network within the parish and specifically includes the requirement for development proposals to demonstrate nutrient neutrality to safeguard the upper Wye catchment during the plan period.</p> <p>Policy CNP24 seeks to reduce lighting and contamination to protect the environment and biodiversity</p>
In-combination policies	<p>The policy does not grant permission or lead to development in itself. It is seeking to provide affordable housing requirements of the Core Strategy Policy H2. A planning application will be required</p> <p>The policy criteria within Policy CNP23 (Addressing Flood Risk and discharge policy) includes the requirement for suitable sustainable drainage or wet systems.</p>

	<p>Policy SD4 required all developments to meet criteria to not undermine the water quality objectives of the SAC.</p> <p>Policy CNP5 requires all developments to be nutrient neutral</p>
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Residual effects – Policy CNP5 requires all developments to clearly and robustly demonstrate that it will not add any additional nutrients to the river and can be nutrient neutral. The interim Phosphate Plan and the phosphate calculator provide developers and applicants with a range of potential bespoke measures to achieve this. It is not appropriate to include this level of specific detail within the policy wording but reference to the Interim Phosphate Plan Stage 2 is recommended to be included within the reasoned justification of the policy background signposting applicants to the most up to date mitigation measures when submitting the required planning application.

Conclusion – it is suggested that additional wording is added to the criteria of the policy to require foul and surface management strategy, if this was included then a conclusion of no likely significant effects would result with regards to the Clifford NDP Policy CNP11

Policy CNP13 Supporting Local Business

Likely signification effect – foul water, surface water, water quality in the river.

Possible Mitigation measures:

Mitigation	Description
Main sewerage system	There is no main drainage within the Clifford Therefore, a foul and surface water management strategy will be required for any developments which needs to be agreed in writing by the Local Planning Authority
WWTW	Any development within these settlement boundaries are not connected to WWTW. Therefore, specific foul and water management strategy will be needed within all proposals which needs to be agreed in writing by the Local Planning Authority.
Integrated Wetlands	A programme of delivering integrated wetland is planned to create a number of wetlands to aid the reduction of phosphate within the catchment. The delivery of a number of these wetlands will be within the plan period. Any wetland will need to be upstream of the proposal to form potential mitigation.
Revised Nutrient Management Plan	A revised Nutrient Management Plan is underway which will contain a variety of measures by partners including the Environment Agency, Welsh Water, Farm Herefordshire and National Farmers Union to reduce phosphate levels within the catchment. This will be finalised within the plan period. This NMP cannot be relied upon at this stage.
Interim Phosphate Plan Stage 2	This document provides a range of potential mitigation solutions that could be used and a set of recommendations are included to provide a robust solution to achieve nutrient neutral residential developments. This document has been available on the Council's website since March 2021 and can be found on the link below https://www.herefordshire.gov.uk/downloads/file/22211/interim-phosphate-delivery-plan-stage-2-non-technical-summary
Other considerations	Policy CNP5 seeks to protect the ecological network within the parish and specifically includes the requirement for development proposals to demonstrate nutrient neutrality to safeguard the upper Wye catchment during the plan period. Policy CNP24 seeks to reduce lighting and contamination to protect the environment and biodiversity
In-combination policies	The policy does not grant permission or lead to development in itself. It is seeking to comply with and provide employment opportunities of the Core Strategy Policy RA6. A planning application will be required The policy criteria within Policy CNP23 (Addressing Flood Risk and discharge policy) includes the requirement for suitable sustainable drainage or wet systems. Policy SD4 required all developments to meet criteria to not undermine the water quality objectives of the SAC.

	Policy CNP5 requires all developments to be nutrient neutral
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Residual effects – Having taken the above mitigation measures into account, it is considered that there is the NDP would benefit for additional wording within criteria f) safeguarding of the SAC particularly around water quality.

Conclusion – it is suggested that additional wording is added to the criteria of the policy or reference to policy CNP5. If this was included then a conclusion of no likely significant effects would result with regards to the Clifford NDP Policy CNP13

Policy CNP14 Farming Diversification

Likely signification effect – foul water, surface water, water quality in the river.

Possible Mitigation measures:

Mitigation	Description
Main sewerage system	There is no main drainage within the parish
WWTW	A specific foul and water management strategy will be needs within all proposals which needs to be agreed in writing by the Local Planning Authority.
Integrated Wetlands	A programme of delivering integrated wetland is planned to create a number of wetlands to aid the reduction of phosphate within the catchment. The delivery of a number of these wetlands will be within the plan period. Any wetland will need to be upstream of the proposal to form potential mitigation.
Revised Nutrient Management Plan	A revised Nutrient Management Plan is underway which will contain a variety of measures by partners including the Environment Agency, Welsh Water, Farm Herefordshire and National Farmers Union to reduce phosphate levels within the catchment. This will be finalised within the plan period. This NMP cannot be relied upon at this stage.
Interim Phosphate Plan Stage 2	This document provides a range of potential mitigation solutions that could used and a set of recommendations are included to provide a robust solution to achieve nutrient neutral residential developments. This document has been available on the Councils website since March 2021 and can be found on the link below https://www.herefordshire.gov.uk/downloads/file/22211/interim-phosphate-delivery-plan-stage-2-non-technical-summary
Other considerations	Policy CNP5 seeks to protect the ecological network within the parish and specifically includes the requirement for development proposals to demonstrate nutrient neutrality to safeguard the upper Wye catchment during the plan period Policy CNP24 seeks to reduce lighting and contamination to protect the environment and biodiversity
In-combination policies	The policy does not grant permission or lead to development in itself. It is seeking to comply with the proportional growth requirements of the Core Strategy Policy RA6. A planning application will be required The policy criteria within Policy CNP23 (Addressing Flood Risk and discharge policy) includes the requirement for suitable sustainable drainage or wet systems. Policy SD4 required all developments to meet criteria to not undermine the water quality objectives of the SAC.

Policy CNP5 requires all developments to be nutrient neutral
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Residual effects – Having taken the above mitigation measures into account, it is considered that there is the NDP would benefit for additional wording within criteria g) safeguarding of the SAC particularly around water quality.

Conclusion – it is suggested that additional wording is added to the criteria of the policy or reference to Policy CNP5. If this was included then a conclusion of no likely significant effects would result with regards to the Clifford NDP Policy CNP14

Policy CNP15 – Tourism Development

Likely signification effect – foul water, surface water, water quality in the river.

Possible Mitigation measures:

Mitigation	Description
Main sewerage system	There is no main drainage
WWTW	A specific foul and water management strategy will be needs within all proposals which needs to be agreed in writing by the Local Planning Authority.
Integrated Wetlands	A programme of delivering integrated wetland is planned to create a number of wetlands to aid the reduction of phosphate within the catchment. The delivery of a number of these wetlands will be within the plan period. Any wetland will need to be upstream of the proposal to form potential mitigation.
Revised Nutrient Management Plan	A revised Nutrient Management Plan is underway which will contain a variety of measures by partners including the Environment Agency, Welsh Water, Farm Herefordshire and National Farmers Union to reduce phosphate levels within the catchment. This will be finalised within the plan period. This NMP cannot be relied upon at this stage.
Interim Phosphate Plan Stage 2	This document provides a range of potential mitigation solutions that could used and a set of recommendations are included to provide a robust solution to achieve nutrient neutral residential developments. This document has been available on the Councils website since March 2021 and can be found on the link below https://www.herefordshire.gov.uk/downloads/file/22211/interim-phosphate-delivery-plan-stage-2-non-technical-summary
Other considerations	Policy CNP5 seeks to protect the ecological network within the parish and specifically includes the requirement for development proposals to demonstrate nutrient neutrality to safeguard the upper Wye catchment during the plan period. Policy CNP24 seeks to reduce lighting and contamination to protect the environment and biodiversity
In-combination policies	The policy does not grant permission or lead to development in itself. A planning application will be required. The policy criteria within Policy CNP23 (Addressing Flood Risk and discharge policy) includes the requirement for suitable sustainable drainage or wet systems. Policy SD4 required all developments to meet criteria to not undermine the water quality objectives of the SAC. Policy CNP5 requires all developments to be nutrient neutral

Residual effects –. Policy CNP5 requires all developments to clearly and robustly demonstrate that it will not add any additional nutrients to the river and can be nutrient neutral. The interim Phosphate Plan and the phosphate calculator provide developers and applicants with a range of potential bespoke measures to achieve this. It is not appropriate to include this level of specific detail within the policy wording but reference to the Interim Phosphate Plan Stage 2 is recommended to be included within the reasoned justification of the policy background signposting applicants to the most up to date mitigation measures when submitting the required planning application.

Conclusion – it is suggested that additional wording is added to the criteria of the policy or reference to Policy CNP5. If this was included then a conclusion of no likely significant effects would result with regards to the Clifford NDP Policy CNP15

Policy CNP17 – Polytunnel Proposals

Likely signification effect – foul water, surface water, water quality in the river.

Possible Mitigation measures:

Mitigation	Description
Main sewerage system	There is no main drainage
WWTW	Not connected to WWTW.
Integrated Wetlands	A programme of delivering integrated wetland is planned to create a number of wetlands to aid the reduction of phosphate within the catchment. The delivery of a number of these wetlands will be within the plan period. Any wetland will need to be upstream of the proposal to form potential mitigation.
Revised Nutrient Management Plan	A revised Nutrient Management Plan is underway which will contain a variety of measures by partners including the Environment Agency, Welsh Water, Farm Herefordshire and National Farmers Union to reduce phosphate levels within the catchment. This will be finalised within the plan period. This NMP cannot be relied upon at this stage.
Interim Phosphate Plan Stage 2	This document provides a range of potential mitigation solutions that could be used and a set of recommendations are included to provide a robust solution to achieve nutrient neutral residential developments. This document has been available on the Council's website since March 2021 and can be found on the link below https://www.herefordshire.gov.uk/downloads/file/22211/interim-phosphate-delivery-plan-stage-2-non-technical-summary
Other considerations	Policy CNP5 seeks to protect the ecological network within the parish and specifically includes the requirement for development proposals to demonstrate nutrient neutrality to safeguard the upper Wye catchment during the plan period. Policy CNP24 seeks to reduce lighting and contamination to protect the environment and biodiversity
In-combination policies	The policy does not grant permission or lead to development in itself. A planning application will be required The policy criteria within Policy CNP23 (Addressing Flood Risk and discharge policy) includes the requirement for suitable sustainable drainage or wet systems. Policy SD4 required all developments to meet criteria to not undermine the water quality objectives of the SAC. Policy CNP5 requires all developments to be nutrient neutral

Residual effects – Policy CNP5 requires all developments included this site allocation to clearly and robustly demonstrate that it will not add any additional nutrients to the river and can be nutrient neutral. The interim Phosphate Plan and the phosphate calculator provide developers and applicants with a range of potential bespoke measures to achieve this. It is not appropriate to

include this level of specific detail within the policy wording but reference to the Interim Phosphate Plan Stage 2 is recommended to be included within the reasoned justification of the policy background signposting applicants to the most up to date mitigation measures when submitting the required planning application.

Conclusion – it is suggested that additional wording is added to the criteria of the policy. If this was included then a conclusion of no likely significant effects would result with regards to the Clifford NDP Policy CNP17

Policy CNP18 – Intensive Livestock Units

Likely signification effect – foul water, surface water, water quality in the river.

Possible Mitigation measures:

Mitigation	Description
Main sewerage system	There is no main drainage
WWTW	Not connected to WWTW.
Integrated Wetlands	A programme of delivering integrated wetland is planned to create a number of wetlands to aid the reduction of phosphate within the catchment. The delivery of a number of these wetlands will be within the plan period. Any wetland will need to be upstream of the proposal to form potential mitigation.
Revised Nutrient Management Plan	A revised Nutrient Management Plan is underway which will contain a variety of measures by partners including the Environment Agency, Welsh Water, Farm Herefordshire and National Farmers Union to reduce phosphate levels within the catchment. This will be finalised within the plan period. This NMP cannot be relied upon at this stage.
Interim Phosphate Plan Stage 2	This document provides a range of potential mitigation solutions that could be used and a set of recommendations are included to provide a robust solution to achieve nutrient neutral residential developments. This document has been available on the Council's website since March 2021 and can be found on the link below https://www.herefordshire.gov.uk/downloads/file/22211/interim-phosphate-delivery-plan-stage-2-non-technical-summary
Other considerations	Policy CNP5 seeks to protect the ecological network within the parish and specifically includes the requirement for development proposals to demonstrate nutrient neutrality to safeguard the upper Wye catchment during the plan period. Policy CNP24 seeks to reduce lighting and contamination to protect the environment and biodiversity
In-combination policies	The policy does not grant permission or lead to development in itself. A planning application will be required The policy indicates that a manure management plan would be required The policy criteria within Policy CNP23 (Addressing Flood Risk and discharge policy) includes the requirement for suitable sustainable drainage or wet systems. Policy SD4 required all developments to meet criteria to not undermine the water quality objectives of the SAC. Policy CNP5 requires all developments to be nutrient neutral

Residual effects – Having taken the above mitigation measures into account and that the policy includes reference to the need for a manure management plan, it is considered that there are the safeguards in place. As highlighted previously the NDP would benefit for additional wording within criteria i) safeguarding of the SAC particularly around water quality.

Conclusion – it is suggested that additional wording is added to the criteria of the policy. If this was included then a conclusion of no likely significant effects would result with regards to the Clifford NDP Policy CNP18

Policy CNP21 Community facilities

Likely signification effect – foul water, surface water, water quality in the river.

Mitigation	Description
Main sewerage system	There is no main drainage within the except a small number of houses to the south-west of Prior Woods Therefore, the areas within the settlement boundary is not covered by the main sewerage area. Any new community facilities will be targeted to areas where a foul and surface water management strategy will be required for any developments which needs to be agreed in writing by the Local Planning Authority
WWTW	Welsh Water have and are continuing to include phosphate stripping in a number WWTW across the county. This will have a positive impact on the catchment in general. However, the development within these settlement boundaries are not connected to WWTW. Therefore, specific foul and water management strategy will be needs within all proposals which needs to be agreed in writing by the Local Planning Authority.
Integrated Wetlands	A programme of delivering integrated wetland is planned to create a number of wetlands to aid the reduction of phosphate within the catchment. The delivery of a number of these wetlands will be within the plan period. Any wetland will need to be upstream of the proposal to form potential mitigation.
Revised Nutrient Management Plan	A revised Nutrient Management Plan is underway which will contain a variety of measures by partners including the Environment Agency, Welsh Water, Farm Herefordshire and National Farmers Union to reduce phosphate levels within the catchment. This will be finalised within the plan period. This NMP cannot be relied upon at this stage.
Interim Phosphate Plan Stage 2	This document provides a range of potential mitigation solutions that could used and a set of recommendations are included to provide a robust solution to achieve nutrient neutral residential developments. This document has been available on the Councils website since March 2021 and can be found on the link below https://www.herefordshire.gov.uk/downloads/file/22211/interim-phosphate-delivery-plan-stage-2-non-technical-summary
Other considerations	Policy CNP5 seeks to protect the ecological network within the parish and specifically includes the requirement for development proposals to demonstrate nutrient neutrality to safeguard the upper Wye catchment during the plan period. Policy CNP24 seeks to reduce lighting and contamination to protect the environment and biodiversity
In-combination policies	The policy does not grant permission or lead to development in itself. A planning application will be required.

	<p>The policy criteria within Policy CNP23 (Addressing Flood Risk and discharge policy) includes the requirement for suitable sustainable drainage or wet systems.</p> <p>Policy SD4 required all developments to meet criteria to not undermine the water quality objectives of the SAC.</p> <p>Policy CNP5 requires all developments to be nutrient neutral</p>
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Possible Mitigation measures:

Residual effects – Policy CNP5 requires all developments to clearly and robustly demonstrate that it will not add any additional nutrients to the river and can be nutrient neutral. The interim Phosphate Plan and the phosphate calculator provide developers and applicants with a range of potential bespoke measures to achieve this. It is not appropriate to include this level of specific detail within the policy wording but reference to the Interim Phosphate Plan Stage 2 is recommended to be included within the reasoned justification of the policy background signposting applicants to the most up to date mitigation measures when submitting the required planning application..

Conclusion –no likely significant effects would result with regards to the Clifford NDP Policy CNP21

Policy CNP23 – Addressing flood risk and drainage

Likely signification effect – foul water, surface water, water quality in the river.

Possible Mitigation measures:

Mitigation	Description
Main sewerage system	There is no main drainage within the Prior Woods except a small number of houses to the south-west. This policy is encouraged the appropriate use of drainage measure
WWTW	This policy is encouraged the appropriate use of drainage measure
Integrated Wetlands	A programme of delivering integrated wetland is planned to create a number of wetlands to aid the reduction of phosphate within the catchment. The delivery of a number of these wetlands will be within the plan period. Any wetland will need to be upstream of the proposal to form potential mitigation.
Revised Nutrient Management Plan	A revised Nutrient Management Plan is underway which will contain a variety of measures by partners including the Environment Agency, Welsh Water, Farm Herefordshire and National Farmers Union to reduce phosphate levels within the catchment. This will be finalised within the plan period. This NMP cannot be relied upon at this stage.
Interim Phosphate Plan Stage 2	This document provides a range of potential mitigation solutions that could be used and a set of recommendations are included to provide a robust solution to achieve nutrient neutral residential developments. This document has been available on the Councils website since March 2021 and can be found on the link below https://www.herefordshire.gov.uk/downloads/file/22211/interim-phosphate-delivery-plan-stage-2-non-technical-summary
Other considerations	This policy is encouraged the appropriate use of drainage measure
In-combination policies	Policy SD4 required all developments to meet criteria to not undermine the water quality objectives of the SAC. Policy CNP5 requires all developments to be nutrient neutral

Residual effects –. Policy CNP5 requires all developments to clearly and robustly demonstrate that it will not add any additional nutrients to the river and can be nutrient neutral. The interim Phosphate Plan and the phosphate calculator provide developers and applicants with a range of potential bespoke measures to achieve this. It is not appropriate to include this level of specific detail within the policy wording but reference to the Interim Phosphate Plan Stage 2 is recommended to be included within the reasoned justification of the policy background signposting applicants to the most up to date mitigation measures when submitting the required planning application. The proportional growth requirements for the parish have been met and two

of the three site allocations have within the settlement boundary have planning permission. Additional reference to the need for an agreed foul and surface water management strategy with application would ensure the likely significant effects of the development plan policies have been removed. There are not residual outstanding effects.

Conclusion –.Including the wording of Policy CNP5 then a conclusion of no likely significant effects could be made.

Appendix 4

Consultation date: 14 December to 8 February 2022

Consultation title: Clifford Neighbourhood Development Plan (Reg16)

*N.B. This consultation feedback is **only** for comments received on the Appropriate Assessment report*

Consultee	Summary of Comments	Response to Comments
Natural England	No specific comments to make to the Clifford NDP	Noted
Heritage England	Comments received regarding the Plan but not specific to the AA	Noted
Environment Agency	Note Clifford falls within the Upper Wye and although not failing its water quality as AA has been undertaken in light of NE comments. Raise no concerns at this time.	Noted
Natural Resources Wales	No comments received	n/a

Appendix 5

Appendix 9: Modifications following Clifford NDP examination (July 2022)

Policy	Modification recommended	Justification
Modification 1 Policy CNP2	Reword the second para of Policy CNP2 to read: 'Business needs, infrastructure provision and associated development will be accommodated within Clifford Parish primarily through the conversion of redundant farm and other rural buildings and limited new buildings and extensions'.	For clarity and removing term 'necessary development'
Modification 2 Policy CND10	Add new paragraph to the end of Policy CND10 to read: 'Any development proposals for the development of the Lower Court Farm site should protect the setting of the Listed Buildings within the complex and full consideration given to the relationship with the potential impact on the Clifford Castle SAM. Development proposals should be accompanied by a Heritage Impact Assessment and full landscape scheme'	Address Historic England's comments and refer in policy to the requirements within para 6.13 (iii)
Modification 3 Policies Maps	Add a suitable notation to the Clifford Village Policies Map to denote the three allocated housing sites and amend the key accordingly	For clarity
Modification 4 Policy CNP12	Add 'housing' between 'new' and 'development' in the first line of Policy CNP12. In clause CNP12(i), after 'Housing to provide for' add the ' the needs of '	For clarity
Modification 5 Policy CNP16	Delete Policy CNP16 and paragraph 7.8 Renumber subsequent policies and paragraphs accordingly	Policy duplicates Policy E3 in Core Strategy

Appendix 6

Appropriate Assessment policy assessment – Clifford Neighbourhood Plan

Policy CNP2: Development Strategy

Likely signification effect – foul water, surface water, water quality in the river.

Possible Mitigation measures

Mitigation	Description
Main sewerage system	<p>There is no mains drainage within the Clifford village or Prior Woods except a small number of houses to the south-west. Therefore, the areas within the settlement boundaries are not covered by the main sewerage area.</p> <p>The majority of the proportional growth will be targeted to areas where a foul and surface water management strategy will be required for any developments which needs to be agreed in writing by the Local Planning Authority</p>
WWTW	<p>The proportional growth requirement is within the expected for the Golden Valley Market area within the Core Strategy and agreed by Welsh Water. Welsh Water have and are continuing to include phosphate stripping in a number WWTW across the county. The Levelling Up and Regeneration Bill will place a statutory duty to upgrade wastewater treatment works to the highest technically limits by 2030. This will have a positive impact on the catchment in general.</p> <p>However, the development within these settlement boundaries are not connected to WWTW. Therefore, specific foul and water management strategy will be needs within all proposals which needs to be agreed in writing by the Local Planning Authority.</p>
Natural England Nutrient Mitigation Scheme	<p>Working with Defra and Department of Levelling Up, Housing and Communities', Natural England will be identifying mitigation projects within the catchment; these include wetlands and woodland creation.</p> <p>Mitigation from wetlands and woodlands will provide biodiversity enhancements to areas; with the scheme providing multiple benefits by promoting public access, helping to deliver on our levelling up missions for pride in place and well-being, by improving access to nature.</p>
Integrated Wetlands	<p>A programme of delivering integrated wetland is planned to create a number of wetlands to aid the reduction of phosphate within the catchment. The delivery of a number of these wetlands will be within the plan period. Any wetland will need to be upstream of the proposal to form potential mitigation.</p>
Revised Nutrient Management Plan	<p>A revised Nutrient Management Plan is underway which will contain a variety of measures by partners including the Environment Agency, Welsh Water, Farm Herefordshire and National Farmers Union to reduce phosphate levels within the catchment. This will be finalised within the plan period. This NMP cannot be relied upon at this stage.</p>

Interim Phosphate Plan Stage 2	<p>This document provides a range of potential mitigation solutions that could be used within the parish. A set of recommendations are included to provide a robust solution to achieve nutrient neutral residential developments. This document has been available on the Council's website since March 2021 and can be found on the link below</p> <p>https://www.herefordshire.gov.uk/downloads/file/22211/interim-phosphate-delivery-plan-stage-2-non-technical-summary</p>
Other considerations	<p>The Clifford settlement boundary is located 250m from the River Wye. Policy CNP5 seeks to protect the ecological network within the parish and specifically includes the requirement for development proposals to demonstrate nutrient neutrality to safeguard the upper Wye catchment during the plan period. Policy CNP24 seeks to reduce lighting and contamination to protect the environment and biodiversity.</p> <p>Two of the three proposed housing sites within the plan currently have planning permission; one of which is currently being constructed.</p> <p>The proportionate growth requirements within the Core Strategy have already been met by existing commitments</p>
In-combination policies	<p>The policy does not grant permission or lead to development in itself. It is seeking to comply with the proportional growth requirements of the Core Strategy Policy RA2. A planning application will be required and any application will need to meet the requirements of Policy SD4 and Policy CNP5</p> <p>The policy criteria within Policy CNP23 (Addressing Flood Risk and discharge policy) includes the requirement for suitable sustainable drainage or wet systems.</p> <p>Policy SD4 required all developments to meet criteria to not undermine the water quality objectives of the SAC.</p> <p>Policy CNP5 requires all developments to be nutrient neutral</p> <p>During the plan period (until 2031), national nutrient neutrality actions regarding upgrades to wastewater works and the Nutrient Mitigation scheme will be enacted.</p>

Residual effects – There is a specific nutrient neutrality policy for Clifford – Policy CNP5. The proportional growth requirements for the parish have been met and two of the three site allocations within the settlement boundary have planning permission; one is being constructed currently. There are no residual outstanding effects.

Conclusion – the delineation of a settlement boundary within the plan does not directly lead to development. All infill sites within the boundary and housing within the 'open countryside' require a planning application. There are no likely significant effects would result with regards to the Clifford NDP Policy CNP2

Policy CNP10 – Housing Sites in Clifford Village

Site allocation – North of Lower Court Farm

Likely signification effect – foul water, surface water, water quality in the river.

Possible Mitigation measures:

Mitigation	Description
Main sewerage system	<p>There is no main drainage within the Clifford.</p> <p>Therefore, this site is within the settlement boundary but not covered by the main sewerage area. A foul and surface water management strategy will be required for any developments which needs to be agreed in writing by the Local Planning Authority</p>
WWTW	<p>The proportional growth requirement is within the expected for the Golden Valley Market area within the Core Strategy and agreed by Welsh Water. Welsh Water have and are continuing to include phosphate stripping in a number WWTW across the county. The Levelling Up and Regeneration Bill will place a statutory duty to upgrade wastewater treatment works to the highest technically limits by 2030. This will have a positive impact on the catchment in general. This will have a positive impact on the catchment in general.</p> <p>However, this site allocation is not in an area contacted to WWTW. Therefore, specific foul and water management strategy will be needs within all proposals which needs to be agreed in writing by the Local Planning Authority.</p>
Natural England Nutrient Mitigation Scheme	<p>Working with Defra and Department of Levelling Up, Housing and Communities', Natural England will be identifying mitigation projects within the catchment; these include wetlands and woodland creation.</p> <p>Mitigation from wetlands and woodlands will provide biodiversity enhancements to areas; with the scheme providing multiple benefits by promoting public access, helping to deliver on our levelling up missions for pride in place and well-being, by improving access to nature.</p>
Integrated Wetlands	<p>A programme of delivering integrated wetland is planned to create a number of wetlands to aid the reduction of phosphate within the catchment. The delivery of a number of these wetlands will be within the plan period. Any wetland will need to be upstream of the proposal to form potential mitigation.</p>
Revised Nutrient Management Plan	<p>A revised Nutrient Management Plan is underway which will contain a variety of measures by partners including the Environment Agency, Welsh Water, Farm Herefordshire and National Farmers Union to reduce phosphate levels within the catchment. This will be finalised within the plan period. This NMP cannot be relied upon at this stage.</p>
Interim Phosphate Plan Stage 2	<p>This document provides a range of potential mitigation solutions that could used and a set of recommendations are included to provide a robust solution to achieve nutrient neutral residential developments. This document has been available on the Councils website since March 2021 and can be found on the link below</p>

	https://www.herefordshire.gov.uk/downloads/file/22211/interim-phosphate-delivery-plan-stage-2-non-technical-summary
Other considerations	<p>The Clifford settlement boundary is located 250m from the River Wye.</p> <p>The site currently contains agricultural buildings with the potential of bat activity.</p> <p>Policy CNP5 seeks to protect the ecological network within the parish and specifically includes the requirement for development proposals to demonstrate nutrient neutrality to safeguard the upper Wye catchment during the plan period. Policy CNP24 seeks to reduce lighting and contamination to protect the environment and biodiversity</p>
In-combination policies	<p>The policy does not grant permission or lead to development in itself. It is seeking to comply with the proportional growth requirements of the Core Strategy Policy RA2. A planning application will be required and any application will need to meet the requirements of Policy SD4</p> <p>The policy criteria within Policy CNP23 (Addressing Flood Risk and discharge policy) includes the requirement for suitable sustainable drainage or wet systems.</p> <p>Policy SD4 required all developments to meet criteria to not undermine the water quality objectives of the SAC.</p> <p>Policy CNP5 requires all developments to be nutrient neutral</p> <p>During the plan period (until 2031), national nutrient neutrality actions regarding upgrades to wastewater works and the Nutrient Mitigation scheme will be enacted.</p>

Residual effects – Policy CNP5 requires all developments included this site allocation to clearly and robustly demonstrate that it will not add any additional nutrients to the river and can be nutrient neutral. The interim Phosphate Plan and the phosphate calculator provide developers and applicants with a range of potential bespoke measures to achieve this. It is not appropriate to include this level of specific detail within the policy wording but reference to the Interim Phosphate Plan Stage 2 is recommended to be included within the reasoned justification of the policy background signposting applicants to the most up to date mitigation measures when submitting the required planning application.

Conclusion – the allocation of this site within the plan does not directly lead to development. All site allocations require a planning application which demonstrates that the Policy SD4 and Policy CNP5, CNP23 and CNP24 have been met. The suggestion of reference to the Interim Phosphate Plan stage 2 in the reasoned justification has been included and there are no likely significant effects would result with regards to the Clifford NDP Policy CNP10.